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Attorneys for Ex-Cell-O Machine Tools, Inc.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

DELPHI CORPORATION, *et al.*,

Debtor.

Chapter 11
Case No. 05-44481-RDD
Jointly Administered

DELPHI CORPORATION, *et al.*,

Plaintiffs,

v.

Adversary Proceeding No. 07-02337

EX CELL O MACHINE TOOLS INC.,

Defendant.

**NOTICE OF SUBMISSION OF DECLARATIONS IN FURTHER OPPOSITION TO
PLAINTIFF'S MOTION FOR LEAVE TO FILE A FIRST AMENDED COMPLAINT**

Defendant Ex-Cell-O Machine Tools, Inc. ("Ex-Cell-O"), through its attorneys, Wolfson Bolton PLLC, for its Notice of Submission of Declarations in Further Opposition to Plaintiff's Motion for Leave to File a First Amended Complaint ("Motion to Amend") [Adv. Proc. No. 33], states:

After hearings on Plaintiff's Motion to Amend and Defendant ATS Automation Tooling Systems Inc.'s Motion and Brief of Defendant for Relief from Fourth Order Extending Time to

Serve Complaint ("Motion to Vacate")¹ [Docket No. 20699] on June 21, 2011, the Court ordered defendants to file affidavits/declarations relating to "defendant's assertion of their facts as to notice" of the Supplemental Postconfirmation Extension of Avoidance Action Service Deadline Motion [Docket No. 18952] within 21 days. See June 21, 2011 Transcript, pp. 310, 320.

Consistent with the Court's directive, and in further opposition to Plaintiff's Motion to Amend, Ex-Cell-O submits the Declaration of Stephanie L.M. Hendrickson (attached as Exhibit A), the Declaration of Brian Prina (attached as Exhibit B), and the Declaration of Elizabeth Sitterly (attached as Exhibit C).

Respectfully submitted,

WOLFSON BOLTON PLLC
Attorneys for Ex-Cell-O

Dated: July 12, 2011

By: /s/ Anthony J. Kochis
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¹ Ex-Cell-O joined the Motion to Vacate. See Docket No. 20711.

CERTIFICATE OF SERVICE

I certify that on July 12, 2011, I caused Ex-Cell-O Machine Tools, Inc.'s Notice of Submission of Declarations in Further Opposition to Plaintiff's Motion for Leave to File a First Amended Complaint and accompanying exhibits to be electronically filed with the Clerk of the Court using the ECF system, which sent notification of such filing to all ECF participants requesting electronic service.

The following parties were also served via U.S. Mail on July 12, 2011:

Hon. Robert D. Drain
U.S. Bankruptcy Court
Southern District of New York
White Plains Office
300 Quarropas Street
White Plains, NY 10601

Richard Milin
David Smith
Togut, Segal & Segal LLP
One Penn Plaza
Suite 3335
New York, NY 10119

Office of United States Trustee
Attn: Alicia M. Leonhard, Trace Hope
Davis and Brian Masumoto
33 Whitehall St. 21st Floor
New York, NY 10004

Dated: July 12, 2011

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